

MONTANA LEGISLATIVE HISTORY

Chapter 18 1983

Bill H 111 S _____ Original bill & history X C

H. Committee on AGRICULTURE

Hearing Date(s) 1/14 X C

EXEC. ACTION 1/17 X C

_____ C

_____ C

Date Out _____ C

S. Committee on AGRICULTURE

Hearing Date(s) 1/26 X C

EXEC ACTION _____ C

_____ C

_____ C

Did this bill originate in an interim committee? _____ Yes _____ No

Committee _____

Report _____

AMENDMENT ON SENATE FLOOR: 1/28

SIGNED: 3/16/83, CHAPTER 99

HB 111 -- HANSON, ELLISON, OCHSNER -- CLARIFY THAT THE STATUTORY PROHIBITIONS ON DRIVING ANIMALS INCLUDE MOVING THE ANIMALS BY WHATEVER MEANS; AMENDING SECTIONS ... BY REQUEST OF: THE DEPARTMENT OF LIVESTOCK

INTRODUCED: 01/06/83
REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION: 01/06/83
HEARING: 1/14/83
REPORT: 01/17/83, DO PASS
CONSENT CALENDAR
3RD READING: 01/19/83, DO PASS AYES: 100; NAYS: 0

TRANSMITTED TO SENATE: 01/20/83
REREFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION: 01/20/83
HEARING: 1/26/83
REPORT: 01/26/83, BE CONCURRED IN
2ND READING: 01/28/83, AS AMENDED AYES: 46; NAYS: 0
3RD READING: 01/31/83 AYES: 47; NAYS: 2

RETURNED TO HOUSE WITH AMENDMENTS: 01/31/83
2ND READING: 02/02/83, BE CONCURRED IN AYES: 95; NAYS: 1
3RD READING: 02/03/83, BE CONCURRED IN AYES: 92; NAYS: 3

TRANSMITTED TO GOVERNOR: 2/7/83
SIGNED: 2/9/83, CHAPTER 18

HB 112 -- DONALDSON -- TO AUTHORIZE INCREASED EMERGENCY EXPENDITURES BY THE GOVERNOR, AMENDING SECTION ...; AND PROVIDING AN EFFECTIVE DATE. BY REQUEST OF: THE DEPARTMENT OF MILITARY AFFAIRS

INTRODUCED: 1/6/83
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 1/6/83
HEARING: 1/14/83
REPORT: 01/14/83, DO PASS
REREFERRED TO COMMITTEE ON APPROPRIATIONS: 01/17/83
HEARING: 03/21/83
REPORT: 03/22/83, DO NOT PASS
2ND READING: 04/05/83, DO PASS AYES: 81; NAYS: 12
3RD READING: 04/07/83, DO PASS AYES: 87; NAYS: 7

TRANSMITTED TO SENATE: 4/7/83
REFERRED TO COMMITTEE ON RULES: 04/08/83
REREFERRED TO COMMITTEE ON FINANCE & CLAIMS: 04/12/83
REPORT: 4/13/83, BE CONCURRED IN, AS AMENDED
2ND READING: 04/14/83 AYES: 50; NAYS: 0
3RD READING: 04/15/83 AYES: 48; NAYS: 0

RETURNED TO HOUSE WITH AMENDMENTS: 4/15/83
2ND READING: 04/18/83, BE CONCURRED AYES: 93; NAYS: 1
3RD READING: 04/18/83, BE CONCURRED AYES: 98; NAYS: 1

TRANSMITTED TO GOVERNOR: 04/21/83
SIGNED: 4/26/83, CHAPTER 626

HB 113 -- SWITZER, NEUMAN -- AUTHORIZING THE DEPARTMENT OF LIVESTOCK TO RESEARCH LIVESTOCK MARK OR BRAND HISTORIES AND TO CHARGE A FEE; AMENDING SECTION

BY REQUEST OF: THE DEPARTMENT OF LIVESTOCK

INTRODUCED: 01/06/83
REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION: 01/06/83
HEARING: 1/17/83
REPORT: 01/21/83, DO PASS
2ND READING: 01/24/83, DO PASS AYES: 97; NAYS: 1
3RD READING: 01/26/83, DO PASS AYES: 95; NAYS: 1

TRANSMITTED TO SENATE 1/26/83
REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION: 01/27/83
HEARING: 2/7/83
REPORT: 02/08/83, BE CONCURRED IN
2ND READING: 02/11/83 AYES: 49; NAYS: 0
3RD READING: 02/14/83 AYES: 50; NAYS: 0

RETURNED TO HOUSE: 2/14/83

TRANSMITTED TO GOVERNOR: 02/21/83
SIGNED: 2/24/83, CHAPTER 34

HB 114 -- MANUEL, ETCHART, BOYLAN, ET AL. -- TO PROVIDE TRAINING FOR FAMILY PRACTICE RESIDENT PHYSICIANS; LIMITING USE OF FUNDS; APPROPRIATING FUNDS; AND PROVIDING AN EFFECTIVE DATE.

INTRODUCED: 1/6/83
REFERRED TO COMMITTEE ON HUMAN SERVICES: 1/6/83
HEARING: 1/31/83
REPORT: 02/05/83, DO PASS
REREFERRED TO COMMITTEE ON APPROPRIATIONS: 2/8/83
HEARING: 3/26/83
REPORT: 03/28/83, DO PASS, AS AMENDED
2ND READING: 03/28/83, DO PASS AYES: 78; NAYS: 15
3RD READING: 03/28/83, DO PASS AYES: 80; NAYS: 15

TRANSMITTED TO SENATE: 3/28/83
REFERRED TO COMMITTEE ON FINANCE & CLAIMS: 4/5/83
HEARING: 4/8/83
REPORT: 4/13/83, BE CONCURRED IN, AS AMENDED
2ND READING: 04/14/83 AYES: 50; NAYS: 0
3RD READING: 04/15/83 AYES: 47; NAYS: 0

RETURNED TO HOUSE WITH AMENDMENTS: 4/16/83
2ND READING: 04/18/83, BE CONCURRED IN AYES: 96; NAYS: 2
3RD READING: 04/18/83, BE CONCURRED IN AYES: 99; NAYS: 1

TRANSMITTED TO GOVERNOR: 04/21/83
SIGNED: 4/28/83, CHAPTER 668

HB 115 -- WALDRON -- PROVIDE FOR LOCAL GOVERNMENT SERVICE DISTRICTS THAT MAY PROVIDE ANY LOCAL GOVERNMENT SERVICE WITHIN THE JURISDICTIONAL AREA OF ONE OR MORE LOCAL GOVERNMENTS; AND TO PROVIDE A METHOD FOR CREATING, MODIFYING, COMBINING, ABOLISHING, FUNDING, AND ADMINISTERING SUCH DISTRICTS.

INTRODUCED: 01/06/83
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 1/6/83
HEARING: 1/15/83

HOUSE BILL NO. 111

INTRODUCED BY HANSON, ELLISON, OCHSNER

BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

IN THE HOUSE

January 6, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 10, 1983	On motion by chief sponsor, Representative Ochener was added as an author to the prefiled bill.
January 17, 1983	Committee recommend bill do pass. Report adopted. Posted on Consent Calendar.
January 18, 1983	Considered correctly engrossed. Questions and answers.
January 19, 1983	Consent Calendar, do pass. Transmitted to Senate.

IN THE SENATE

January 20, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 26, 1983	Committee recommend bill be concurred in. Report adopted.
January 28, 1983	Second reading, concurred in as amended.
January 31, 1983	Third reading, concurred in. Ayes, 47; Noes, 2.

IN THE HOUSE

January 31, 1983

Returned to House with
amendments.

February 2, 1983

Second reading, amendments
concurred in.

February 3, 1983

Third reading, amendments
concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 House BILL NO. 111
2 INTRODUCED BY Hanson, Ellison
3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT THE
6 STATUTORY PROHIBITIONS ON DRIVING ANIMALS INCLUDE MOVING THE
7 ANIMALS BY WHATEVER MEANS; AMENDING SECTIONS 81-5-101 AND
8 81-5-102, MCA."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 81-5-101, MCA, is amended to read:
12 "81-5-101. ~~Driving~~ Moving cattle from customary range
13 forbidden. Every person who willfully ~~drives~~ moves or causes
14 to be ~~driven~~ moved any cattle, horses, mules, or sheep from
15 their customary range without the permission of the owner
16 thereof is punishable by imprisonment in the county jail not
17 exceeding 90 days or by fine not exceeding \$100, or both."

18 Section 2. Section 81-5-102, MCA, is amended to read:
19 "81-5-102. ~~Driving~~ Moving animals upon railroad track.
20 If a person willfully ~~drives~~ moves or causes to be moved an
21 animal upon a railroad track with intent to injure the
22 corporation or persons owning the railroad and such animal
23 is killed or injured thereby, the person is punishable by a
24 fine not exceeding \$50,000 or imprisonment in the state
25 prison not exceeding 5 years, or both, and is liable for all

1 injury or damage occasioned by reason of such act."

-End-

INFORMATION SHEET

AGRICULTURE COMMITTEE

1983

Bill #	DATE		NOTIFIED			SERGEANT-AT-ARMS				OUT-CMTE
	Into Cmte	Hear- ing	Chief Clerk	Cmte Mmbrs	Spon- sor	Ordered Bills	Rec'd Bills	Ordered F.N.	Rec'd F.N.	Date & Recomdn
HB 85	1/5	1/14	1/10	1/11	1/11	1/6	1/7			1/26 Do Pas As Amend.
HB 111	1/6	1/14	1/10	1/11	1/11	1/6	1/7			1/17 Do Pas Con. Cal.
HB 113	1/6	1/17	1/10	1/11	1/11	1/6	1/7			1/21 Do Pass
HB 127	1/7	1/17	1/10	1/11	1/11	1/7	1/7			1/21 Do Pas As Amend.
HB 159	1/12	1/19	1/14	1/17	1/17	1/12	1/13	1/17	X	1/28 Do Pas As Amend.
HB 165	1/12	1/19	1/14	1/17	1/17	1/12	1/13			1/24 Do Pass
HB 258	1/15	1/21	1/17	1/17	1/18	1/17	1/17			1/21 Do Pass
HB 324	1/18	1/24	1/19	1/19	1/20	1/19	1/21			1/26 Do Pass
HB 349	1/19	1/26	1/21	1/24	1/24	1/20	1/21			2/9 Do Pass As Amend.
HB 409	1/19	1/26	1/21	1/24	1/24	1/20	1/24			1/31 Do Not Pass
HB 432	1/22	1/28	1/24	1/24	1/24	1/24	1/24			1/31 Do Pass
SB 102	1/22	1/28	1/24	1/24	1/26	1/24	1/24			1/31 Do Pas Con. Cal.
SB 60	1/24	1/31	1/26	1/26	1/26	1/25	1/25			2/4 Do Pass
HB 486	1/25	1/31	1/26	1/26	1/26	1/25	1/26			2/7 Do Pass As Am. St.1
HB 509	1/26	2/4	1/31	1/31	1/31	1/26	1/28			2/9 Do Pass
SB 160	1/27	2/4	1/31	1/31	1/31	1/27	1/28			2/7 Do Pass
HB 545	1/28	2/4	1/31	1/31	1/31	1/31	2/1			2/7 Do Pass As Am. St.1
HJR 15	1/28	2/4	1/31	1/31	1/31	1/31	2/1			2/4 Do Pass
HB 617	2/3	2/9	2/5	2/5	2/5	2/3	2/3			2/16 Do Pass as An
HB 42	2/4	2/14	2/9	2/9	2/9	2/4	2/7			2/16 Do Pass
HB 667	2/5	2/9	2/5	2/5	2/5	2/5	2/7	2/5	X	2/16 Do Pass as An
SB 276	2/7	3/9	3/5	3/7	3/7	2/7	X			3/14 Be Con. In
SB 277	2/7	3/7	3/1	3/2	3/2	2/7	X			3/14 Be Con. In
SB 278	2/7	3/7	3/1	3/1	3/2	3/2	2/7			3/16 Be Con. In
SB 279	2/7	3/9	3/5	3/7	3/7	2/7	X			3/16 Be Con. In

and the program is managed in a manner beneficial to all. He asked the Committee to give the bill a Do Pass as Amended recommendation.

HOUSE BILL 111. REP. MARIAN HANSON, District 57, Powder River, testified as sponsor of the bill, which would change "moving" to "driving" animals to clarify and update its intent.

PROPOSERS

MR. LES GRAHAM, Department of Livestock, said the law was unclear as to the actual method of transporting animals, resulting in numerous phone calls to his agency from concerned individuals.

MR. PAT UNDERWOOD, Montana Farm Bureau told the Committee his group supports the bill.

MRS. JO BRUNNER, Women in Volved in Farm Economics, stated her support of the bill.

OPPOSERS

There were no opposers of the bill.

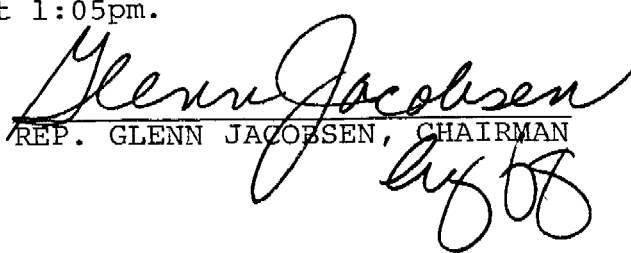
QUESTIONS

There were no questions from the Committee.

IN CLOSING, Rep. Hanson asked the Committee to give the bill a favorable report.

CHAIRMAN JACOBSEN advised action on the bill would be deferred until next week.

The meeting was adjourned at 1:05pm.


REP. GLENN JACOBSEN, CHAIRMAN

Joann T. Gibson, Secretary

WITNESS STATEMENT

NAME PAT Underwood BILL No. HB 111
ADDRESS 502 S. 19th Bismarck ND 58103 DATE 14 Jan 83
WHOM DO YOU REPRESENT Montana Farm Bureau
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The MFBF SUPPORTS THE
DEPARTMENT OF LIVESTOCK
AND AG ON HB 111

WITNESS STATEMENT

NAME Les Graham BILL No. HB 111
ADDRESS _____ DATE _____
WHOM DO YOU REPRESENT Mont Dept of Livestock
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

HB 85 Support as amended
by Dept of Agriculture

HB 111 as introduced

HOUSE BILL 127. REP. TED NEUMAN, District 33, Cascade, testified as sponsor of the bill, which would reduce the required number of hours from 72 to 24 for notification of an owner, when a person takes possession of trespassing livestock. He requested the Committee strike language on page 2, lines 3-5 of the bill since it would be difficult to apply in most instances.

PROPOSERS

MR. LES GRAHAM, Department of Livestock said the bill is not intended to include an animal which strays onto another's property, but only those impounded for causing damage which might result in civil action.

MRS. JO BRUNNER, Women Involved in Farm Economics, stated her support of the bill and said it would be beneficial to livestock producers and is a necessary piece of legislation.

MR. MONS TIEGEN, Montana Stockgrowers and Cowbellers Associations, stated his support of the bill.

MR. PAT UNDERWOOD, Montana Farm Bureau stated his support of the bill.

OPPOSERS

There were no opposers of the bill.

QUESTIONS

There were no questions from the Committee.

IN CLOSING, Rep. Neuman, reiterated his request that the Committee strike language on page 2, lines 3-5 of the bill.

CHAIRMAN JACOBSEN advised the Committee House Bill 159 would be heard January 19, 1983 and asked that House Bills 85 and 159 receive committee action together since they are interrelated.

EXECUTIVE SESSION

REP. HOLLIDAY moved House Bill 111 Do Pass. Rep. Koehnke seconded the motion, which was unanimously approved by the Committee.

Agriculture Committee Minutes
January 17, 1983
Page 3

REP. BLISS moved House Bill 111 be put on the Consent Calender. Rep. Holliday seconded the motion which was unanimously approved.

HOUSE BILL 85. Mr. John MacMaster, Legislative Council advised the Committee he would prefer to insert "which for the purposes of this part are limited to" on page 2, line 5 of the bill, rather than language proposed by the Department of Agriculture, "such as".

REP. BLISS asked if the opponents of the bill had changed their position with the proposed amendments to the bill.

MR. MACMASTER, further advised if "health" were removed from page 2, line 8, it would broaden the Department's ability to serve and protect the public.

REP. HOLLIDAY commented the matter of public health would remain the the Department of Livestock rather than the Department of Agriculture. Mr. MacMaster agreed with her, adding he would add a comma to the last line of the second proposed amendment, following "injuries".

The meeting was adjourned at 1pm.


REP. GLENN JACOBSEN, CHAIRMAN

Joann T. Gibson, Secretary

STANDING COMMITTEE REPORT

1-17 19 83

MR. SPEAKER:

We, your committee on AGRICULTURE

having had under consideration HOUSE Bill No. 111

reading copy ()
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT THE
STATUTORY PROHIBITIONS ON DRIVING ANIMALS INCLUDE MOVING THE
ANIMALS BY WHATEVER MEANS; AMENDING SECTIONS 91-5-901 AND
91-5-102, MCA."

Respectfully report as follows: That HOUSE Bill No. 111

DO PASS (CONSENT CALENDER)

REP. GLENN JACOBSEN

Chairman.

48th LEGISLATIVE SESSION

SENATE COMMITTEE ON AGRICULTURE

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
HB 82	1-19-83	1-24-83	1-24-83				-----	1-24-83	-----
HB 82	re-entered 1-26-83	1-28-83	1-28-83				1-28-83*with clerical correction		
HB 85	2-1-83	2-28-83	2-28-83				2-28-83	-----	-----
HB 111	1-20-83	1-26-83	1-26-83				1-26-83	-----	-----
HB 113	1-27-83	2-7-83	2-7-83				2-7-83	-----	-----
HB 118	2-2-83	3-16-83	3-18-83				-----	3-18-83	-----
HB 127	1-27-83	2-7-83	2-7-83				2-7-83	-----	-----
HB 159	2-7-83	2-14-82	2-28-83				2-28-83	-----	-----
HB 164	1-22-83	1-28-83	1-28-83				1-28-83	-----	-----
HB 165	1-31-83	2-9-83	2-9-83				2-9-83	-----	-----
HB 258	1-28-83	2-9-83	2-9-83				2-9-83	-----	-----
HB 349	2-16-83	3-2-83	3-12-83				-----	3-12-83	-----
HB 432	2-7-83	2-16-83	2-28-83				2-28-83	-----	-----
HB 486	2-12-83	3-2-83	3-2-83				-----	3-2-83	-----
HB 509	2-15-83	3-4-83	3-7-83				3-7-83	-----	-----
HB 515	2-17-83	2-28-83 3-12-83	3-14-83 TABLED				-----	-----	-----

Agriculture Committee
January 26, 1983
page 2

the farmers spray and not after everything had gone to seed.

Senator Marbut agreed this should be done but it has not been easy to accomplish. Counties are improperly funded so they can't keep up with spraying. He felt some continuity should be built in so they can address this better.

Senator Aklestad questioned the dedicated parks and playgrounds and the money they can ask for in lieu of.

Senator Marbut answered that, in the Subdivision Planning Act, parts of land are set aside for parks and playgrounds but cities or towns may ask for money instead if they don't need a park, so the 25% cash in lieu of was put in. The parks and playgrounds are included in the bill because the existing subdivision statute says they have to be.

Senator Lane questioned railroad rightaways and whether they would have to spray.

Senator Marbut said the laws say public right of way. He suggested amending the bill so that it means the counties' real property and the rights of way would be public rights of way.

The hearing was closed on SB 233.

HOUSE BILL 111: Representative Marian Hanson, House District 57, presented the bill at the request of the Department of Livestock. The law went into effect in 1919 and the word "drive" was used in the law at that time. The word drive no longer accurately reflects the kind of transportation being used today so this would up-date the language. Testimony attached, Exhibit #5.

Jo Brunner, WIFE, arose in support of the bill.

Jeanne M. Rankin, Montana Farm Bureau, supported the bill. Testimony attached, Exhibit #6.

The hearing closed on HB 111.

DISPOSITION OF HB 111: Senator Graham moved HB 111 BE CONCURRED IN. Motion carried unanimously.

Senator Graham will carry the bill on the floor.

SB 233 was referred to Anne Brodsky, Legislative Council, for required amendments.

There being no further business, the meeting adjourned.



ROLL CALL

AGRICULTURE COMMITTEE

48th LEGISLATIVE SESSION - - 19 83

Date 1-26-83

NAME	PRESENT	ABSENT	EXCUSED
GALT, Jack E.			✓
KOLSTAD, Allen C.	✓		
AKLESTAD, Gary C.	✓		
OCHSNER, J. Donald	✓		
GRAHAM, Carroll	✓		
BOYLAN, Paul F.	✓		
CONOVER, Max	✓		
LANE, Leo	✓		
LEE, Gary	✓		

Each day attach to minutes.

1-26-83

COMMITTEE ON

VISITORS' REGISTER

[illegible]

Agriculture Comm
Exhibit #5
1-26-83

H.B. #111 is an updating of a law from 1919. The Livestock Dept. feels that the words move or moving more accurately reflects the trend of modern transportation instead of driving.

Closing

I ask That this committee recommend a Do Pass on H.B. 111. Thank you.

Marian Hanson

WITNESS STATEMENT

Exhibit #6
Agriculture Comm.

NAME JEANNE M. RANKIN BILL No. HB-111
ADDRESS 502 S. 19th Ave., Bozeman, MT DATE January 26, 1983
WHOM DO YOU REPRESENT MONTANA FARM BUREAU
SUPPORT XXXXX OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The Montana Farm Bureau supports the Department of Livestock on this Bill. We feel that it will help eliminate future confrontations concerning ownership of livestock. It is definately needed. We recommend a DO PASS on HB 111.

Jeanne M. Rankin

1-26-83

STANDING COMMITTEE REPORT

January 26

19 83

PRESIDENT:

MR.

We, your committee on **Agriculture, Livestock and Irrigation,**

having had under consideration **House** Bill No. **111**

Respectfully report as follows: That **House** Bill No. **111**

BE CONCURRED IN

~~XXXXXX~~
~~DO PASS~~

J.C.

HB 225, introduced by Asay, Norman, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 226, introduced by Asay, Norman, (By Request of the Department of Labor and Industry). Referred to Committee on Labor and Employment Relations.

HB 236, introduced by Dozier, (By Request of the Public Service Commission). Referred to Committee on Highways and Transportation.

HB 258, introduced by Devlin, Graham, Lee, Holliday, Ryan, Keyser, Schultz, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Hazelbaker moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 117 - That SB 117 do pass. Motion carried as follows:

Ayes: Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Dover, Eck, Elliott, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Jacobson, Keating, Kolstad, Lee, Lynch, D. Manning, R. Manning, Marbut, McCallum, Norman, Regan, Shaw, Stimatz, Towe, Tveit, Van Valkenburg.
Total 32

Noes: Aklestad, Gage, Goodover, Himsl, Lane, Mazurek, Mohar, Severson, Story, Mr. President.
Total 10

Excused: Etchart, Galt, Ochsner, Thomas.
Total 4

Absent or not voting: Daniels, Fuller, Smith, Turnage.
Total 4

SJR 1 - That House amendments to SJR 1 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 19 - That SB 19, without objection, be moved to the bottom of the

SB 106 - That SB 106 do pass. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 167 - That SB 167 do pass. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 205 - That SB 205 do pass. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 46

Noes: None.
Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
Total 4

Absent or not voting: None.
Total 0

SB 212 - That SB 212 do pass. Motion carried as follows:

Ayes: Berg, Blaylock, Brown, Christiaens, Conover, Eck, Elliott, Fuller, Goodover, Graham, Haffey, Hager, Halligan, Hazelbaker, Jacobson, Lane, Lynch, D. Manning, R. Manning, Marbut, Mazurek, Norman, Regan, Stimatz, Towe, Tveit, Van Valkenburg.

Noes: Aklestad, Boylan, Crippen, Dover, Gage, Hammond, Himsl, Keating, Kolstad, Lee, Mohar, Severson, Shaw, Smith, Story, Mr. President.

Total 16

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: Daniels, McCallum, Turnage.

Total 3

HB 40 - That HB 40 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.

Total 44

Noes: Elliott, Shaw.

Total 2

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 45 - That HB 45 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.

Total 46

Noes: None.

Total 0

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 65 - That HB 65 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.

Total 46

Noes: None.

Total 0

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 66 - That HB 66 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.

Total 46

Noes: None.

Total 0

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 81 - That HB 81 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.

Total 46

Noes: None.

Total 0

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 87 - That HB 87 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.

Total 46

Noes: None.

Total 0

Excused: Etchart, Galt, Ochsner, Thomas.

Total 4

Absent or not voting: None.

Total 0

HB 111 - That HB 111, third reading copy, be amended as follows:

1. Title, line 7.

Following: "AMENDING"

Strike: "SECTIONS"
 Insert: "SECTION"
 Strike: "AND 81-5-102"

2. Page 1, line 18.
 Strike: section 2 in its entirety

Amendment passed as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
 Total 46

Noes: None.
 Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
 Total 4

Absent or not voting: None.
 Total 0

That HB 111, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
 Total 46

Noes: None.
 Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
 Total 4

Absent or not voting: None.
 Total 0

SB 19 - That SB 19, second reading copy, be amended by adding the following statement of intent:

STATEMENT OF INTENT SB 19

A statement of intent is required for this bill because it grants rulemaking authority to the Department of Administration for the purpose of administering the state grant to district courts programs.

Section 1 of this bill requires the Department of Administration to prescribe rules and forms necessary to effectively administer the program. It is contemplated that the rules will address the following:

- (a) definition of terms;
- (b) standard grant application format;
- (c) circumstances for permitting time extension of grant application;
- (d) form and timing of grant award notification; and
- (e) procedures for adjusting grant awards following audit.

Amendment passed as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
 Total 46

Noes: None.
 Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
 Total 4

Absent or not voting: None.
 Total 0

That SB 19, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Fuller, Gage, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Regan, Severson, Shaw, Smith, Stimatz, Story, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
 Total 46

Noes: None.
 Total 0

Excused: Etchart, Galt, Ochsner, Thomas.
 Total 4

Absent or not voting: None.
 Total 0

SB 212 - That SB 212 be segregated from the Committee of the Whole report. Motion carried as follows:

Ayes: Aklestad, Boylan, Brown, Crippen, Dover, Gage, Galt, Goodover, Hammond, Hazelbaker, Himsl, Keating, Kolstad, Lee, Marbut, McCallum, Mohar, Norman, Ochsner, Severson, Shaw, Smith, Stimatz, Story, Turnage, Tveit, Mr. President.
 Total 27

Noes: Berg, Blaylock, Christiaens, Conover, Daniels, Eck, Elliott, Fuller, Graham, Haffey, Hager, Halligan, Jacobson, Lane, Lynch, R. Manning, Mazurek, Regan, Thomas, Towe, Van Valkenburg.
 Total 21

Paired: Aklestad, Galt, Ochsner, Ayes; Blaylock, Mazurek, Thomas, Noes.

Excused: Etchart.
 Total 1

Absent or not voting: D. Manning.
 Total 1

Senator Hazelbaker moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report, as amended. Report adopted.